

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Civil No. 06-3669 PAM/JSM

DEAN BENTER,	)	
	)	
Plaintiff,	)	
	)	<b>ORDER</b>
v.	)	
	)	
BRUCE MUENKEL,	)	
	)	
Defendant.	)	

Upon the motion of Defendant Bruce Muenkel to substitute the United States as the sole defendant to the complaint and upon the Certification filed, and it appearing to the Court that the complaint is a common law tort action against a federal employee arising out of actions taken within the scope of his employment,

IT IS ORDERED, pursuant to 28 U.S.C. § 2679(d), that the United States be substituted as the only federal defendant in place of Defendant Muenkel and that the title of the action be amended accordingly to read "Dean Benter v. The United States of America"; and

IT IS FURTHER ORDERED that, as to Defendant Muenkel, the complaint in this action is dismissed with prejudice.

Dated: September 20, 2006

s/Paul A. Magnuson  
Paul A. Magnuson  
U.S. District Court Judge